

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 1ST JUNE 2007 / 11TH JYAISHTA 1929

Tr.P(C).No. 92 of 2007()

**OP.251/2007 of FAMILY COURT, KOTTAYAM , KOTTAYAM TO FAMILY COURT
THODUPUZHA**

PETITIONER/RESPONDENT

**RAJINI @ LOUIS JACOB, AGED 36,
D/O.JACOB, CHURAKOLIL, POOTHEDU,
MOOLAMATTOM P.O., IDUKKI DISTRICT.**

BY ADV. SRI.PRADEEP JOY

RESPONDENTS: PETITIONER

**MOHAN T.ISSAC @ SAM T.ISSAC,
S/O.ISSAC, THEKKEKAVUM VATHUKKAL,
IRUMPRAMATTOM KARA, MEELUKAVU VILLAGE,
MEENACHIL TALUK, KOTTAYAM DISTRICT.**

**BY ADV. SRI.C.A.CHACKO
SRI.BIJU GOPAL**

**THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 01/06/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

M.N.KRISHNAN, J

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Tr.P(C) No.92 OF 2007

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Dated this the 1st day of June, 2007

JUDGMENT

This transfer petition is preferred by the wife in O.P.No.251 of 2007 pending before the Family Court, Kottayam with a request to transfer the case to the Family Court, Thodupuzha.

2. Heard both sides. The petition is one for divorce and it is seen from the averment in the petition as well as a certificate shown to me today that the lady had undergone laparotomy and hysterectomy done for pyometra. She had a stormy post operative period. The Doctor has advised her against travelling long distance. It is also seen that she belongs to Moolamattom at Thodupuzha and her health condition does not permit her to travel long distance. Further, it is averred that her financial condition is pathetic. On the other hand, learned counsel for the respondent would submit that the able bodied brothers of his wife are likely to attack him. Learned counsel for the petitioner undertakes that no such threat or incident will take place and his apprehension is without basis.

Taking note of the bad health condition of the petitioner, the distance

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and the poor financial position, I am inclined to allow the transfer application and therefore O.P.No.251 of 2007 pending before the Family Court, Kottayam at Ettumannoor is transferred to the Family Court, Thodupuzha. Before transferring the case notice of transfer be given to both sides.

Tr.P.C. is disposed of as above.

M.N.KRISHNAN, JUDGE

Cdp/-